

# EXHIBIT 183

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

- - - - -  
IN RE: PHARMACEUTICAL ) MDL NO. 1456  
INDUSTRY AVERAGE WHOLESALE ) CIVIL ACTION  
PRICE LITIGATION ) 01-CV-12257-PBS  
THIS DOCUMENT RELATES TO )  
U.S. ex rel. Ven-a-Care of ) Judge Patti B. Saris  
the Florida Keys, Inc. )  
v. ) Chief Magistrate  
Abbott Laboratories, Inc., ) Judge Marianne B.  
No. 06-CV-11337-PBS ) Bowler  
- - - - -

(cross-captions on following pages)

Washington, D.C.

Wednesday, March 26, 2008

9:22 a.m.

Videotaped deposition of DEIRDRE DUZOR

Volume III

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<p style="text-align: right;">Page 536</p> <p>1 IN THE COURT OF THE SECOND JUDICIAL CIRCUIT  2 IN AND FOR LEON COUNTY, FLORIDA  3 ----- )  4 THE STATE OF FLORIDA, ex rel. )  5 VEN-A-CARE OF THE FLORIDA KEYS, )  6 INC., a Florida Corporation, by and )  7 through its principal officers and )  8 directors, ZACHARY T. BENTLEY and )  9 T. MARK JONES, )  10 PLAINTIFFS, ) Civil Action  11 vs. ) No. 98-3032A  12 BOEHRINGER INGELHEIM CORPORATION, )  13 et al., ) Judge William  14 DEFENDANTS. ) L. Gary  15 ----- )  16  17  18  19  20  21 (CONTINUED)  22</p>	<p style="text-align: right;">Page 538</p> <p>1 A P P E A R A N C E S O F C O U N S E L  2  3 On behalf of the United States of America:  4  5 ANA MARIA MARTINEZ, ESQ.  6 United States Department of Justice  7 99 N.E. 4th Street  8 Miami, Florida 33132  9 (305) 961-9431  10 ana.maria.martinez@usdoj.gov  11  12  13 On behalf of the U.S. Department of Health &amp;  14 Human Services:  15  16 BRIAN A. KELLEY, ESQ.  17 U.S. Department of Health &amp; Human Services  18 Office of General Counsel, CMS Division  19 330 Independence Avenue, S.W., Room 5345  20 Washington, D.C. 20201  21 (202) 205-8702  22</p>
<p style="text-align: right;">Page 537</p> <p>1 IN THE CIRCUIT COURT OF  2 MONTGOMERY COUNTY, ALABAMA  3 -----  4 IN THE MATTER OF: )  5 ALABAMA MEDICAID ) MASTER DOCKET NO.  6 PHARMACEUTICAL AVERAGE ) CV-2005-219  7 WHOLESALE PRICE LITIGATION )  8 -----  9 THIS DOCUMENT RELATES TO: )  10 ALL ACTIONS )  11 -----  12 Washington, D.C.  13 Wednesday, March 26, 2008  14 Volume III of the videotaped deposition of  15 DEIRDRE DUZOR, called for examination by counsel for  16 Dey, defendants in the above-entitled matter, taken  17 at the law offices of Jones Day, 51 Louisiana  18 Avenue, N.W., Washington, D.C., the proceedings  19 being recorded stenographically by Deborah Hommer, a  20 Registered Professional Reporter and Notary Public  21 of the District of Columbia, and transcribed under  22 her direction.</p>	<p style="text-align: right;">Page 539</p> <p>1 A P P E A R A N C E S (Cont'd)  2  3 On Behalf of Dey, Inc., Dey, L.P., and Mylan:  4 NEIL MERKL, ESQ.  5 Kelley, Drye &amp; Warren, LLP  6 101 Park Avenue  7 New York, New York 10178  8 (212) 808-7811  9 nmerkl@kelleydrye.com  10  11  12 On Behalf of Abbott Laboratories:  13 R. CHRISTOPHER COOK, ESQ.  14 Jones Day  15 51 Louisiana Avenue, N.W.  16 Washington, D.C. 20001-2113  17 (202) 879-3939  18 ccook@jonesday.com  19  20  21  22 (CONTINUED)</p>

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<p>1 APPEARANCES (Cont'd)</p> <p>2</p> <p>3 On Behalf of Ven-A-Care:</p> <p>4 MARJORY P. ALBEE, ESQ.</p> <p>5 Mager &amp; Goldstein, LLP</p> <p>6 1818 Market Street</p> <p>7 Suite 3710</p> <p>8 Philadelphia, Pennsylvania 19103</p> <p>9 (215) 640-3284</p> <p>10 malbee@magergoldstein.com</p> <p>11</p> <p>12</p> <p>13 On Behalf of the City of New York and all New York</p> <p>14 Counties other than Nassau and Orange; the States</p> <p>15 of Wisconsin, Illinois, Kentucky, Idaho, Alaska,</p> <p>16 Hawaii, South Carolina and Mississippi:</p> <p>17 MICHAEL WINGET-HERNANDEZ, ESQ.</p> <p>18 Winget-Hernandez, LLC</p> <p>19 101 S. College Street</p> <p>20 Dripping Springs, Texas 78620</p> <p>21 (512) 858-4181</p> <p>22 michael@winget-hernandez.com</p>	<p>1 APPEARANCES (Cont'd)</p> <p>2</p> <p>3 On Behalf of Bristol-Myers Squibb:</p> <p>4 ANDREA TRENTO, ESQ. (via phone)</p> <p>5 Hogan &amp; Hartson</p> <p>6 875 Third Avenue</p> <p>7 New York, New York 10022</p> <p>8 (212) 918-3542</p> <p>9 awtrento@hhlaw.com</p> <p>10</p> <p>11</p> <p>12 On Behalf of Roxane Laboratories and Boehringer</p> <p>13 Ingelheim:</p> <p>14 ERIC GORTNER, ESQ. (via phone)</p> <p>15 Kirkland &amp; Ellis</p> <p>16 200 East Randolph Drive</p> <p>17 Chicago, Illinois 60601</p> <p>18 (312) 861-3452</p> <p>19 egortner@kirkland.com</p> <p>20</p> <p>21</p> <p>22 (CONTINUED)</p>
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<p>1 APPEARANCES (Cont'd)</p> <p>2</p> <p>3 On Behalf of the State of Alabama:</p> <p>4 WINDY BITZER, ESQ. (via phone)</p> <p>5 Hand, Arendall, LLC</p> <p>6 RSA Tower</p> <p>7 11 North Water Street</p> <p>8 Suite 30200</p> <p>9 Mobile, Alabama 36602</p> <p>10 (251) 432-5511</p> <p>11 wbitzer@handarendall.com</p> <p>12</p> <p>13</p> <p>14 On Behalf of the State of Florida:</p> <p>15 MARY S. MILLER, ESQ. (via telephone)</p> <p>16 Office of the Attorney General of Florida</p> <p>17 PL-01, The Capitol</p> <p>18 Tallahassee, Florida 32399-1050</p> <p>19 (850) 414-3600</p> <p>20 mary_miller@oag.state.fl.us</p> <p>21</p> <p>22</p>	<p>1 APPEARANCES (Cont'd)</p> <p>2</p> <p>3 On Behalf of Sandoz, Inc.:</p> <p>4 MILANA SALZMAN, ESQ. (via phone)</p> <p>5 White &amp; Case, LLP</p> <p>6 1155 Avenue of the Americas</p> <p>7 New York, New York 10036-2787</p> <p>8 (212) 819-2549</p> <p>9 msalzman@whitecase.com</p> <p>10</p> <p>11</p> <p>12 On Behalf of Schering-Plough Corporation, Schering</p> <p>13 Corporation and Warrick Pharmaceuticals</p> <p>14 Corporation:</p> <p>15 BILLY WELLS, ESQ. (via phone)</p> <p>16 Locke, Lord, Bissell &amp; Liddell</p> <p>17 2200 Ross Avenue</p> <p>18 Suite 2200</p> <p>19 Dallas, Texas 75201</p> <p>20 (214) 740-8459</p> <p>21 bwells@lockeliddell.com</p> <p>22</p>

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<p style="text-align: right;">Page 676</p> <p>1 many drugs they have been reimbursed for, right?</p> <p>2 A. How many units, yes.</p> <p>3 Q. They have sought reimbursement for</p> <p>4 under the Medicaid program?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. They take that unit number and</p> <p>7 they multiply it by the URA, right?</p> <p>8 A. That's right.</p> <p>9 Q. And that gives them how much they're</p> <p>10 supposed to get their rebate for, right?</p> <p>11 A. That's right.</p> <p>12 Q. And they sit down and they take that</p> <p>13 and they put it in a bill or an invoice and they</p> <p>14 mail it to the manufacturers, right?</p> <p>15 A. That's right.</p> <p>16 Q. And then the manufacturers pay that</p> <p>17 bill or are supposed to pay that bill?</p> <p>18 A. Yes. We hope they do.</p> <p>19 Q. Okay. So each month the state will</p> <p>20 prepare an invoice that will list for each</p> <p>21 manufacturer the URA, right, on an NDC number</p> <p>22 basis and units sold, right?</p>	<p style="text-align: right;">Page 678</p> <p>1 A. I assume it's electronic in most</p> <p>2 states.</p> <p>3 Q. Someone actually will feed the computer</p> <p>4 --</p> <p>5 A. Right.</p> <p>6 Q. -- right?</p> <p>7 And then they send out a bill to every</p> <p>8 manufacturer?</p> <p>9 A. That's right.</p> <p>10 Q. And they do this every quarter?</p> <p>11 A. They do.</p> <p>12 Q. Since 1990?</p> <p>13 A. Yes.</p> <p>14 Q. Now, in the case of a generic drug, how</p> <p>15 is the URA computed?</p> <p>16 A. Well, in the case of a generic drug,</p> <p>17 the rebate is 11 percent of AMP.</p> <p>18 Q. Today, right?</p> <p>19 A. Yes. By statute.</p> <p>20 Q. Right. It's in the statute. From 1990</p> <p>21 to 1994, the rebate was -- I'm sorry -- the URA</p> <p>22 was 10 percent, right?</p>
<p style="text-align: right;">Page 677</p> <p>1 A. I don't know what the invoice looks</p> <p>2 like, but --</p> <p>3 Q. In theory.</p> <p>4 MR. WINGET-HERNANDEZ: Objection.</p> <p>5 Form.</p> <p>6 THE WITNESS: Well, I don't know,</p> <p>7 because the state knows how many units. The</p> <p>8 state knows the URA. I think they are just</p> <p>9 billing an amount to the manufacturer.</p> <p>10 BY MR. MERKL:</p> <p>11 Q. Okay. So the manufacturer might not</p> <p>12 get a bill that shows the breakdown?</p> <p>13 A. Right.</p> <p>14 Q. Okay. But the state certainly has the</p> <p>15 information it needs to compute the bill?</p> <p>16 A. Yes.</p> <p>17 Q. So the state has a list somewhere that</p> <p>18 has the URA for each NDC number and the amount of</p> <p>19 reimbursement units that quarter, right?</p> <p>20 A. Right. Yes, they would.</p> <p>21 Q. And someone has to sit down and do this</p> <p>22 computation, right?</p>	<p style="text-align: right;">Page 679</p> <p>1 MS. MARTINEZ: Objection. Form.</p> <p>2 THE WITNESS: It was a little different</p> <p>3 in the early days of the program. I don't know</p> <p>4 the figures in my head.</p> <p>5 BY MR. MERKL:</p> <p>6 Q. Ten percent then at some point changed</p> <p>7 to 11 percent?</p> <p>8 A. It was different in the beginning.</p> <p>9 Q. Correct?</p> <p>10 A. Well, I'm just not sure if it was 10</p> <p>11 percent.</p> <p>12 Q. Okay. So if you had the URA and you</p> <p>13 divided by .11, that would tell you what the AMP</p> <p>14 is, right?</p> <p>15 MS. MARTINEZ: Objection. Form.</p> <p>16 THE WITNESS: Yes. The AMPs have been</p> <p>17 fairly transparent for generic drugs.</p> <p>18 BY MR. MERKL:</p> <p>19 Q. If you have the URA?</p> <p>20 A. Because -- right, because of the simple</p> <p>21 formula.</p> <p>22 Q. And I guess in the case of actually</p>

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